



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

CRH/JMH/EHS
F. #2017R00906

271 Cadman Plaza East
Brooklyn, New York 11201

July 13, 2021

By Email and FedEx

Lawrence S. Lustberg
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Gibbons P.C.
1 Gateway Center
Newark, New Jersey 07102

Brian Neary
Court Plaza South
21 Main Street, Suite 305-A
Hackensack, New Jersey 07601

Re: United States v. Michael McMahon
Criminal Docket No. 21-265 (PKC)

Dear Counsel:

Enclosed please find additional discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure, supplementing our productions dated May 5, May 25, and July 12, 2021. The government also requests reciprocal discovery from the defendant. Pursuant to Rule 16.1 of the Federal Rules of Criminal Procedure, the government remains available to confer further about pretrial discovery at a mutually convenient time.

The materials provided with today's production are being provided subject to the protective order agreed to by the parties and entered by the Court on June 18, 2021. See ECF No. 70.

The disc bearing Bates number MM-000561 consists of the contents of a electronic account associated with the defendant. These materials were obtained from Microsoft pursuant to a search warrant, the documentation of which has been previously provided to you. See MM-000177 through MM-000212.

The disc is encrypted and the password will be provided to you under separate cover.

Future Discussions

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact me.

Please be advised that, pursuant to the policy of the Office concerning plea offers and negotiations, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, any discussion regarding the pretrial disposition of a matter that is not reduced to writing and signed by authorized representatives of the Office cannot and does not constitute a “formal offer” or a “plea offer,” as those terms are used in Lafler v. Cooper, 132 S. Ct. 1376 (2012), and Missouri v. Frye, 132 S. Ct. 1399 (2012).

Very truly yours,

JACQUELYN M. KASULIS
Acting United States Attorney

By: /s/ J. Matthew Haggans
Craig R. Heeren
J. Matthew Haggans
Ellen H. Sise
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Enclosure (via FedEx)

cc: Clerk of the Court (PKC) (by ECF) (without enclosures)